



**Australian Government**  
**Australian Skills Quality Authority**

# REPORT

## **Audit report: Horizon Training Institute Pty Ltd**

Date/s of audit: 25/01/2018

Date report created: 27/01/2018

Date report updated: 06/05/2018

## Organisation details

Organisation's legal name:	Horizon Training Institute Pty Ltd
Trading name/s:	N/A
RTO number:	N/A
CRICOS number:	N/A

## Audit team

Lead auditor:	S. Foster
Assistant/s:	N/A
Review Officer:	Jennine Cochrane

## Audit details

Application number/s:	INTVET0002125	
Audit number:	AUDREC0007814	
Audit reason	Application - initial	
Address of site/s visited:	4/1447-1451 Sydney Rd., Campbellfield, VIC 3061	
Date/s of audit:	25/01/2018	
Organisation's contact for audit:	Mr Ahmad Hashmi aussieplanet@outlook.com	Chief Executive Officer (CEO) 0423 646 730

## Original finding at time of audit

### Audit finding: Concerning non-compliance

Report completed by: S. Foster

Practice	Standards for RTOs 2015	Finding
Marketing/Recruitment	4.1	Compliant
Enrolment	5.1, 5.2, 5.3, 7.3	Compliant
Support and Progression	1.7	Compliant
Training and Assessment	1.1, 1.2, 1.3, 1.5, 1.8, 1.13-1.18, 1.20	Not compliant
Completion	3.2	Compliant
Regulatory Compliance / Governance	2.3, 2.4, 8.1, 8.2,	Not compliant

## Finding at time of evidence review

**Audit finding: Critical non-compliance**

**Report completed by:** Jennine Cochrane

Practice	Standards for RTOs 2015	Finding
Marketing/Recruitment	4.1	Compliant
Enrolment	5.1, 5.2, 5.3, 7.3	Compliant
Support and Progression	1.7	Compliant
Training and Assessment	1.1, 1.2, 1.3, 1.5, 1.8, 1.13, 1.18, 1.20	Compliant
Completion	3.2	Compliant
Regulatory Compliance /Governance	2.3, 2.4, 8.1, 8.2	Not compliant

## Background

Summary of organisation and management structure:

- Horizon Training Institute Pty Ltd (the applicant) is owned and operated by Mr Hashmi. He is also a public accountant and tax agent who engages with RTOs among his clients. Mr Hashmi also has interests and experience in building and construction, including membership of the Master Builders Association. These experiences led him to apply to establish a registered training organisation to provide individuals and industry with skills and knowledge relevant to building and construction.

**Note:** Although not disclosed at audit, the CEO, Mr Ahmad Hashmi, is also operating a Family Day Care business named Kid's Community Pty Ltd from the same address listed above.

Scope of registration:

- The applicant is seeking registration to deliver CPC50210 Diploma of Building and Construction (Building).

Suburb and state of all delivery locations:

- 4/1447-1451 Sydney Rd, Campbellfield, VIC 3061

Third party usage:

- N/A

Core clients/target groups:

- Clients will be sourced from existing employees in the building and construction industry, particularly those who do not hold a building licence. Initially, these learners will be employed by builders who are clients of Mr Hashmi's accounting operations.

Training Revenue (Funded or fee for service):

- Fee for service.

Total number of current enrolments as at audit date: 0

In preparing the audit report, consideration has been given and reference made, where relevant, to:

- Information provided directly by Horizon Training Institute Pty Ltd to ASQA
- Information provided to ASQA's auditors and documentation reviewed during the site audit of Horizon Training Institute Pty Ltd conducted on 25/1/2018.
- Existing ASQA records.

## Audit Sample

Code	Training products	Mode/s of delivery / assessment*	Current enrolments
CPC50210	Diploma of Building and Construction (Building)	Face to face	0

## Interviewees

Name	Position	Training products
Ahmed Hashmi	CEO, Trainer/assessor	CPC50210
Tayyaba Sultana	Quality Compliance Officer	
	Internal auditor	
	Assistant internal auditor	

## About this Report

This report details findings against the *Standards for Registered Training Organisations 2015* (Standards for RTOs 2015). If non-compliance has been identified, this report describes evidence of the non-compliance.

## Action required by RTO

Horizon Training Institute Pty Ltd did not meet all requirements for clauses 1.3 and 8.1.

*The applicant is required to provide evidence that demonstrates:*

### Clause 1.3 Sufficiency of facilities

- It has sufficient facilities to accommodate planned delivery for its own learners as well as those of another RTO, VETG, that occupies the same facility.
- Either proof of ownership of 4/1447 – 1451 Sydney Road, Campbell field 3061 or that it has a lease agreement in place between the owner of the site and itself.

#### Clause 8.1 Cooperation with the VET Regulator

- Why its CEO stated he was the owner of the Campbellfield site when the company ABZ Education and Care Pty Ltd is the owner.
- Why its CEO did not provide the auditor, at audit, the current rental agreement in place between ABZ Education and Care Pty Ltd and VETG.
- How it intends, in the future, to cooperate with the VET Regulator:
  - by providing accurate and truthful responses to information requests from the VET Regulator relevant to the applicant's registration;
  - in the conduct of audits and the monitoring of its operations.

## Areas of non-compliance

### Training and Assessment

#### Standards for RTOs Clause 1.3

The RTO has, for all of its scope of registration, and consistent with its training and assessment strategies, sufficient:

- a) trainers and assessors to deliver the training and assessment;
- b) educational and support services to meet the needs of the learner cohort/s undertaking the training and assessment;
- c) learning resources to enable learners to meet the requirements for each unit of competency, and which are accessible to the learner regardless of location or mode of delivery; and
- d) facilities, whether physical or virtual, and equipment to accommodate and support the number of learners undertaking the training and assessment.

#### **Findings: Not compliant**

CPC50210 Diploma of Building and Construction (Building)

The following was reviewed in relation to sufficient facilities, whether physical or virtual, and equipment to accommodate and support the number of learners undertaking the training and assessment:

- Planning permit issued by the Hume City Council for 4/1447 Sydney Rd, Campbellfield VIC 3061.
- Email from applicant stating that VETG had left the premises of 4/1447 Sydney Rd, Campbellfield VIC 3061 in December 2017.
- Rental agreement between ABZ Education and Care Pty Ltd and VETG trading as Zain International College for 4/1447 – 1451 Sydney Road, Campbell field 3061 dated and signed 02/11/2015, valid until 01/11/2019.
- Discussion at audit with the CEO, Mr Hashmi, confirming Victorian Education and Training Group Pty Ltd (VETG) (CRICOS provider) occupies the applicants address and will continue to occupy the site until June 2018.
- A copy of a written agreement that outlines the terms of the agreement for occupancy and operating at the 4/1447 Sydney Rd, Campbellfield VIC 3061 prior to VETG relocation. There was no agreement cessation date to occupancy of the site by VETG.

The applicant's practices in ensuring its sufficiency of facilities are not compliant with the requirements of Clause 1.3 of the Standards for RTOs 2015 as the RTO has not, for all of its scope of registration, and consistent with its training and assessment strategies, sufficient facilities, whether physical or virtual, and equipment to accommodate and support the number of learners undertaking the training and assessment.

Evidence of non-compliant facilities management practice includes:

- Not demonstrating there were sufficient facilities to accommodate planned delivery for its own learners as well as those of another RTO, VETG, already delivering training and assessment from the same address.
- There were no terms or conditions outlining cessation of VETG's occupancy by June 2018 in the agreement document; indicating a contradiction to claims made by the CEO, Mr Hashmi.
- A rental agreement between ABZ Education and Care Pty Ltd and VETG trading as Zain International College for 4/1447 – 1451 Sydney Road, Campbell field 3061, dated and signed 02/11/2015 and valid until 01/11/2019. However, sub-clause 4.1 does not allow transfer of the rental agreement without written permission. This rental agreement, or evidence of permission to sublet, was not provided to the auditor prior, during or post site visit.
- There is no lease agreement in place between the owner of the premises ABZ Education and Care Pty Ltd and the legal entity of Horizon Training Institute Pty Ltd.

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*Analysis of additional evidence:*

*CPC50210 Diploma of Building and Construction (Building)*

The following additional evidence was provided:

- Title search for the property address.pdf- ABZ Education and Care Pty Ltd is the sole proprietor and has been so for at least 125 days leading up to and including 19/03/2018.
- Historical ASIC extract of the cooperate trustee (ABZ Education and Care Pty Ltd).pdf- listed Ahmad Bilal Hashmi of Unit 1, 49 Major Rd Fawkner as 100% shareholder of the business (ABZ) from 28/05/2015
- ABZ Ownership evidence from CPA\_Capita Business advisors 26/03/2018.pdf- letter from Capita Business Advisors and Tax Consultants confirming ABZ acts as a corporate trustee of the Hashmi Family Trust and that 4/1447 – 1451 Sydney Road, Campbellfield 3061 is owned by the Corporate Trustee. Ahmad Hashmi is the sole Director and has full legal control over the asset.
- ABZ & VETG Transfer of Lease Agreement Executed June 2017.pdf- lease for VETG to habitat the premises for period of 2/11/2015 to 1/11/2019 and continued for a period from 06/06/2017 to 6/11/2019.
- VETG surrender of Tenancy agreement\_ MOU Dec 2017.pdf- signed and dated 05/12/2017 for VETG to surrender lease of 4/1447 – 1451 Sydney Road, Campbellfield 3061. Lessee 'has decided to relocate to Melbourne CBD, while keeping existing premises at Campbellfield premises under the new engagement to accommodate existing students until they find a suitable venue in the nearby area for delivery of the courses'.
- ABZ & HTI Rental Agreement 05.12.2017.pdf- rental agreement for 4/1447 – 1451 Sydney Road, Campbellfield 3061 between Horizon Training Institute Pty Ltd and ABZ Education and Care As the trustee for the Hashmi Family Trust for one year commencing 05/12/2017. This document is not dated and the validity of its existence, prior to notification of intent to reject Horizon Training Institute's application for initial registration, is questionable.
- Casual Facility Sub tenancy MOU between HTI & VETG 06.12.2017.pdf- agreement between Horizon and VETG for VETG to continue to use the location of 4/1447 – 1451 Sydney Road, Campbellfield 3061. Times of use to be detailed in Schedule 1; Schedule 1 referred 'dates to be agreed' and 'see attached timetable'.
- Floor Plan\_Timetable\_HTI & VETG Classroom allocation.xlsx- outlined rooms allocated between the two organisations.

The evidence provided has addressed the non-compliance for this clause.

## Regulatory Compliance / Governance

### Clause 8.1

The RTO cooperates with the VET Regulator:

- a) by providing accurate and truthful responses to information requests from the VET Regulator relevant to the RTO's registration;
- b) in the conduct of audits and the monitoring of its operations;
- c) by providing quality/performance indicator data;
- d) by providing information about substantial changes to its operations or any event that would significantly affect the RTO's ability to comply with these standards within 90 calendar days of the change occurring;
- e) by providing information about significant changes to its ownership within 90 calendar days of the change occurring; and
- f) in the retention, archiving, retrieval and transfer of records

### **Findings: Not compliant**

The following was reviewed in relation to the change of venue to 4/1447 Sydney Rd, Campbellfield VIC 3061:

- Email of 21/01/2018 Re. Notice of audit and request for pre-audit information Horizon Training Institute Pty Ltd; CEO of RTO advising VETG no longer occupied the site and that he was the owner of the site.
- Facility hire agreement between Horizon Training Institute Pty Ltd and Victorian Education and Training Group Pty Ltd, t/as International College of Victoria (ICV), dated 6/12/2017
- Information provided to ASQA by VETG prior to audit regarding the status of the facility hire.
- A rental agreement between ABZ Education and Care Pty Ltd and VETG trading as Zain International College for 4/1447 – 1451 Sydney Road, Campbellfield 3061 dated and signed 02/11/2015 and valid until 01/11/2019. However, sub-clause 4.1 does not allow transfer of the rental agreement without written permission. This rental agreement, or evidence of permission to sub-let, was not provided to the auditor prior, during or post site visit.
- There is no lease agreement in place between the owner of the premises ABZ Education and Care Pty Ltd and the legal entity of Horizon Training Institute Pty Ltd.

The evidence provided was not compliant with clause 8.1 of the Standards for RTOs 2015.

Evidence of non-compliant compliance practice includes:

- The applicant has either, not provided accurate and truthful responses to information requests from the VET Regulator relevant to its application for registration, and/or has failed to retain and retrieve records for the VET Regulator relevant to its application for registration. In particular, relating to the ownership and lease agreement of the location of 4/1447 – 1451 Sydney Road, Campbellfield 3061.

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*Analysis of additional evidence:*

### *CPC50210 Diploma of Building and Construction (Building)*

The following additional evidence was provided:

- Refer to evidence of ownership as described under Clause 1.3.
- CEO Position Description from HTI.pdf
- Governance Policy and Procedure.pdf
- Interaction with VET Regulator Policy and Procedure.pdf- all links to documents to be completed for the purpose of notifying ASQA of changes to its operations, link to documents that do not exist.
- Records Management Policy and Procedure.pdf
- Dissemination of Information Policy and Procedure.pdf
- Internal Audit Policy and Procedure.docx.

The evidence provided has not addressed the non-compliance. Specifically:

- The CEO, although requested to do so, has not provided an explanation why the organisation failed to produce evidence of ownership, and sub-lease arrangements between itself and ABZ Education and Care Pty Ltd, at audit.
- The rental agreement between ABZ Education and Care Pty Ltd and Horizon Training Institute is not dated and the validity of its existence, prior to notification of intent to reject Horizon Training Institute's application for initial registration, is questionable.
- There were no mechanisms in place to provide for advising the VET Regulator of any changes to its operations in accordance with Clause 8.1. Hyperlinks to key documentation on ASQA's website no longer existed.

The applicant remains non-compliant with Clause 8.1.